

Notice of Allowability

Application No.

10/657,770

Examiner

Joseph Schell

Applicant(s)

FUNG ET AL.

Art Unit

2114

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to Amendment filed 9/25/06.
2. ☒ The allowed claim(s) is/are 1-48.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO/SB/08),
Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit
of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☐ Interview Summary (PTO-413),
Paper No./Mail Date _____
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____

EXAMINER'S AMENDMENT

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for the non-grammatical changes of this examiner's amendment was given in a telephone interview with Poon Fung on November 30, 2006.

The application has been amended as follows:

In claim 1 lines 12-16 please change the second and third occurrence of "a first interceptor" to "**the** first interceptor" and all occurrences of "associating" to "associated" so that this section of the claim reads:

for a first interceptor, intercepting a first operation at a first application component;
for **the** first interceptor, determining if tracing an execution path associated with said first operation is desired;
for **the** first interceptor, if tracing said execution path associated with said first operation..

In claim 1, the last 6 lines of the claim, please change the second and third occurrence of "a second interceptor" to "**the** second interceptor" so that this section of the claim reads:

for a second interceptor, intercepting a second operation at a second application component;
for **the** second interceptor, detecting said tracing token; and

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for the second interceptor, if said tracing exists...

In claim 4 line 2, please change the claim to read "tracing an execution path
associated..."

In claim 16 line 13 please change the claim to read "identifier uniquely identifying said
execution path..."

In claim 22 line 15, please change the claim to read "tracing tokens comprises a unique
identifier uniquely identifying said execution path.."

In claim 35 lines 4 and 5, please change the claim to read:

for the third interceptor, detecting said tracing token; and

for the third interceptor, if said tracing token exists...

In claim 36 line 6, please change the claim to read "at the first interceptor, when said
start of tracing..."

In claim 36, the sixth line from the end of the claim, please change the line to read "at
the second interceptor, when said tracing token is received..."

In claim 43 line 4 please insert "controlling tracing of an execution path..."

Allowable Subject Matter

The following is an examiner's statement of reasons for allowance:

Within independent claims 1, 16, 22, 36, 43 and 46, the examiner deems the novel limitation to be, within each claim as a whole, that a tracing token is generated upon execution and relayed from one tracing point to another to trigger tracing.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Specifically, O'Brien ('327), Cuomo ('819), Anderson ('934), Arnold ('877), York ('077) and Edwards ('501) and Haga ('140) teach application tracing system similar to the claimed invention but without token passing between trace points.



SCOTT BADERMAN
SUPERVISORY PATENT EXAMINER